

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Date of Motion hearing: October 28, 2011.

IT IS ORDERED that the release of the Defendant is subject to the following:

STANDARD CONDITIONS OF RELEASE

- (1) Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise the supervising Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement.
- (2) Defendant shall immediately advise the court, defense counsel and the U.S. Attorney in writing before any change in address and telephone number.
- (3) Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.
- (4) Defendant shall sign and complete A.O. 199C before being released and shall reside at the addressed furnished.
- (5) Defendant shall not possess a firearm, destructive device or

1 other dangerous weapon.

2 (6) Defendant shall report to the United States Probation Office
3 before or immediately after release and shall report as often
4 as they direct, at such times and in such manner as they
5 direct.

6 (7) Defendant shall contact defense counsel at least once a week.

7 (8) Defendant is further advised, pursuant to 18 U.S.C. § 922(n),
8 it is unlawful for any person who is under indictment for a
9 crime punishable by imprisonment for a term exceeding one
10 year, to possess, ship or transport in interstate or foreign
11 commerce any firearm or ammunition or receive any firearm or
12 ammunition which has been shipped or transported in
13 interstate or foreign commerce.

14 (9) Defendant shall refrain from the use or unlawful possession
15 of a narcotic drug or other controlled substances defined in
16 21 U.S.C. § 802, unless prescribed by a licensed medical
17 practitioner.

18 **BOND**

19 (10) Defendant shall:

20 Execute an unsecured appearance bond in the amount of
21 dollars
22 (\$_____) in the event of a failure to appear as required
23 or to surrender as directed for service of any sentence imposed.

24 Execute an unsecured appearance bond, to be co-signed by
25 _____, in the amount of
26 dollars
27 (\$_____) in the event of a failure to appear as required
28 or to surrender as directed for service of any sentence imposed.

29 Execute: \$_____ corporate surety bond
30 \$_____ property bond
31 \$_____ cash bond
32 \$_____ percentage bond, with
33 \$_____ paid in cash

34 **ADDITIONAL CONDITIONS OF RELEASE**

35 Upon finding that release by one of the above methods will not by
36 itself reasonably assure the appearance of the Defendant and the
37 safety of other persons and the community:

38 **IT IS FURTHER ORDERED** that the release of the Defendant is subject
39 to the following additional conditions:

40 (11) The Defendant is placed with:

41 _____
42 _____

1 City and State

Tele. Number

2 Signature

Date

3 who agrees to sign a copy of this Order, **to be kept in**
 4 **Pretrial Services' file**; supervise the Defendant consistent
 5 with all the conditions of release; use every effort to
 6 assure the appearance of the Defendant at all scheduled
 7 court proceedings; and notify the court immediately in the
 8 event the Defendant violates any conditions of release or
 9 disappears.

10

- 7 (12) Maintain or actively seek lawful employment.
- 8 (13) Maintain or commence an education program.
- 9 (14) Surrender any passport to Pretrial Services and shall not
 10 apply for a new passport.
- 11 (15) Defendant shall remain in the:

12 Eastern District of Washington, or State of Washington
 13 while the case is pending. On a showing of necessity, and
 14 with prior notice by the defense to the assigned Assistant
 15 U.S. Attorney, the Defendant may obtain prior written
 16 permission to temporarily leave this area from the United
 17 States Probation Office.

18

- 15 Exceptions: _____
- 16 (16) Avoid all contact, direct or indirect, with any persons who
 17 are or who may become a victim or potential witness in the
 18 subject investigation or prosecution, including but not
 19 limited to:

20

- 19 (17) Avoid all contact, direct or indirect, with:
 21 Known felons Co-Defendant(s) *unless necessary in
 22 treatment program.*
- 20 (18) Undergo medical or psychiatric treatment and/or remain in an
 21 institution as follows:

22

- 23 (19) Refrain from: any excessive use of alcohol
- 24 (20) There shall be no alcohol in the home where Defendant
 25 resides.
- 26 (21) There shall be no firearms in the home where Defendant
 27 resides.
- 28 (22) Except for employment purposes, Defendant shall not have
 29 access to the internet, including cell phones with internet
 30 access.

1 (23) Defendant may not be in the presence of minors, unless a
2 responsible, knowledgeable adult is present at all times.

3 **SUBSTANCE ABUSE EVALUATION AND TREATMENT**

4 If Defendant is required to submit to a substance abuse evaluation,
5 inpatient or outpatient treatment, the following shall apply:

6 Defendant shall complete treatment indicated by an evaluation or
7 recommended by Pretrial Services and shall comply with all rules of
8 a treatment program. Defendant shall be responsible for the cost of
9 testing, evaluation and treatment, unless the United States
10 Probation Office should determine otherwise. The United States
11 Probation Office shall also determine the time and place of testing
12 and evaluation and the scope of treatment. If Defendant fails in
13 any way to comply or cooperate with the requirements and rules of a
14 treatment program, Pretrial Services shall notify the court and the
15 U.S. Marshal, who will be directed to immediately arrest the
16 Defendant.

17 Defendant shall participate in one or more of the following
18 treatment programs:

19 (24) **Substance Abuse Evaluation:** Defendant shall undergo a
20 substance abuse evaluation:

21 if directed by a U.S. Probation Officer

22 as directed by a U.S. Probation Officer

23 Prior to release, Defendant must have an appointment for
24 a substance abuse evaluation, and the appointment must be
25 confirmed to the court by Pretrial Services. Defendant
26 will be released:

27 one day prior to; or

28 on the morning of his appointment

19 (25) **Inpatient Treatment:** Defendant shall participate in an
20 intensive inpatient treatment program.

21 Prior to release, an available bed and date of entry must
22 be confirmed by Pretrial Services.

23 Defendant will be released to an agent of the inpatient
24 program on Nov. 7, 2011 (90 day program)

25 Prior to release from inpatient treatment, an outpatient
26 treatment program must be presented to the court. If
27 Defendant does not have a structured outpatient treatment
28 program in place prior to conclusion of inpatient
29 treatment, Defendant automatically will go back into the
30 custody of the U.S. Marshal.

31 Following inpatient treatment, Defendant shall

1 participate in an aftercare program.

2 (26) **Outpatient Treatment:** Defendant shall participate in
3 intensive outpatient treatment.

4 Prior to release, an appointment for Defendant's first
5 counseling session must be made and confirmed by Pretrial
6 Services. Defendant will be released:

7 one day prior to; or

8 on the morning of his appointment

9 (27) **Other:** *Status conference Jan. 7, 2012*
10 *at 1:30 p.m. Aftercare program/residence*
11 *to be presented. Pretrial to prepare a report*

12 (28) **Prohibited Substance Testing:** If random urinalysis testing
13 is not done through a treatment program, random urinalysis
14 testing shall be conducted through Pretrial Services, and
15 shall not exceed six (6) times per month. Defendant shall
16 submit to any method of testing required by the Pretrial
17 Service Office for determining whether the Defendant is
18 using a prohibited substance. Such methods may be used with
19 random frequency and include urine testing, the wearing of
20 a sweat patch, a remote alcohol testing system, and/or any
21 form of prohibited substance screening or testing.
22 Defendant shall refrain from obstructing or attempting to
23 obstruct or tamper, in any fashion, with the efficiency and
24 accuracy of prohibited substance testing. Full mutual
25 releases shall be executed to permit communication between
26 the court, Pretrial Services, and the treatment vendor.
27 Treatment shall not interfere with Defendant's court
appearances.

28 HOME CONFINEMENT/ELECTRONIC/GPS MONITORING

29 (29) Defendant shall participate in one or more of the following
30 home confinement program(s):

31 **Electronic Monitoring:** The Defendant shall participate in
32 a program of electronically monitored home confinement. The
33 Defendant shall wear, at all times, an electronic monitoring
34 device under the supervision of U.S. Probation. In the
35 event the Defendant does not respond to electronic
36 monitoring or cannot be found, the U.S. Probation Office
37 shall forthwith notify the United States Marshals' Service,
38 who shall immediately find, arrest and detain the Defendant.
39 The Defendant shall pay all or part of the cost of the
40 program based upon ability to pay as determined by the U.S.
41 Probation Office.

42 **GPS Monitoring:** The Defendant shall participate in a
43 program of GPS confinement. The Defendant shall wear, at

CONFIRMING APPROVAL OF aftercare plan.

1 all times, a GPS device under the supervision of U.S.
2 Probation. In the event the Defendant does not respond to
3 GPS monitoring or cannot be found, the U.S. Probation Office
4 shall forthwith notify the United States Marshals' Service,
5 who shall immediately find, arrest and detain the Defendant.
6 The Defendant shall pay all or part of the cost of the
7 program based up ability to pay as determined by the U.S.
8 Probation Office.

9 **Curfew:** Defendant shall be restricted to his/her
10 residence:

11 every day from _____ to _____

12 as directed by the Pretrial Services Office

13 **Home detention:** Defendant shall be restricted to his/her
14 residence at all times except for: attorney visits; court
15 appearances; case-related matters; court-ordered
obligations; or other activities as pre-approved by the
Pretrial Services Office or supervising officer, as well as:

16 employment education religious services

17 medical, substance abuse, or mental health treatment

18 Maintain residence at a halfway house or community
19 corrections center, as deemed necessary by the Pretrial
20 Services Office or supervising officer.

21 (30) Other: Aftercare conditions to be determined.

22 (31) Defendant shall appear for a status hearing on **January 7,**
23 **2012, at 1:30 p.m.**, before the undersigned.

24 DATED October 28, 2011.

25

S/ CYNTHIA IMBROGNO
26 UNITED STATES MAGISTRATE JUDGE